IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 13158 of 2005

Between:

B. Vijaya Kumar S/o B. Hanumantha Rao
Akarsh consultancy Enterprises, Hyderabad

..... PETITIONER

AND

1 Nizam's Institute of Medical Sciences,

Panjagutta, Hyderabad rep by Executive Registrar
2 The Medical Council of India,

Aiwan-E-Ghaleb Marg, Kotla Road,

Opp Mata Sundary College (For Women), New Delhi
3 Dr. K. Sarath Chandra, Associate Professor,

Department of Cardiology, Nizam's Institute
of Medical Sciences, Punjagutta, Hyderabad

.....RESPONDENTS

ORDER: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

This writ petition was filed in public interest alleging that respondent No.4, though

appointed temporarily as Associate Professor in the Department of Cardiology, was not eligible to be appointed to the said post as he lacked the requisite teaching experience. It was further contended that though the appointment was temporary, he was continued for the last 2½ years extending his appointment every 89 days.

The learned Advocate-General appearing for the Institute submits that the Institute has decided to advertise and make regular appointment to the post of Assistant Professor in the department of Cardiology, after considering the cases of all eligible candidates, who apply. He submits that it would take some time, at least till the end of September, 2005, for the Institute to finalise the selections. The present term of the third respondent expires on 17th of August, 2005, and for about one and half months, there will not be any Associate Professor, and that will have an affect on the patients, if the term of third respondent is not extended. In these peculiar circumstances, we allow the first respondent to extend the appointment of the third respondent till 30th of September, 2005. By 30th of September, 2005, they shall finalise the selections, and make regular appointment.

With these observations, the writ petition is disposed of. No costs.

(Bilal Nazki, A.C.J)

9th August, 2005

(G.Chandraiah, J)

LUR